

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION**

Jeffrey S. Sonnichsen

Civil Action No. 09-578

versus

Judge Tucker L. Melançon

Aries Marine Corp.

Magistrate Judge Mildred E. Methvin

JUDGMENT

In accordance with the Memorandum Ruling issued on this date, it is

ORDERED that plaintiff Jeffrey S. Sonnichsen's Motion for Summary Judgment [Rec. Doc. 11] is GRANTED in part as to plaintiff's claims against Aries Marine for violation of the Comprehensive Omnibus Budget Reconciliation Act of 1985 (COBRA), as amended, 19 U.S.C. §1161 et seq., and DENIED in part as to plaintiff's claim for penalties.

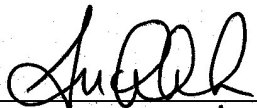
IT IS FURTHER ORDERED that defendant Aries Marine's Motion for Summary Judgment [Rec. Doc. 13] is DENIED in part as to its violation of COBRA, and GRANTED in part as to plaintiff's claim for penalties.

IT IS FURTHER ORDERED that there be judgment in favor of plaintiff, Jeffrey Sonnichsen, against Aries Marine for reimbursement of medical expenses from October 3, 2008 through December 15, 2008, minus the deductibles and premiums plaintiff would have paid for COBRA coverage during that period. Within fourteen (14) days of the date of the entry of this Judgment, the parties are to file with the Clerk of Court a joint stipulation setting forth the total amount of plaintiff's medical bills incurred from October 3, 2008 through

December 15, 2008, minus the deductibles and premiums plaintiff would have paid for COBRA coverage during that period.

IT IS FURTHER ORDERED that there be judgment in favor of plaintiff, Jeffrey Sonnichsen, against Aries Marine for reimbursement of attorney's fees and the matter is referred to the magistrate judge assigned to this case to calculate reasonable attorney's fees under the "Lodestar method" applying the factors set forth in *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714 (5th Cir.1974).

Thus done and signed this 17th day of November, 2009, at Lafayette, Louisiana.



Tucker L. Melançon
UNITED STATES DISTRICT JUDGE